



After reviewing the record and considering the arguments of the parties, the Appeals Board finds that the Administrative Law Judge has the authority to make a determination at a preliminary hearing, pursuant to K.S.A. 44-534a, concerning medical treatment, including transportation and expenses. Accordingly, the Administrative Law Judge did not exceed his jurisdiction in making his order.

After examining both K.S.A. 44-551 and K.S.A. 44-534a, the Appeals Board finds that the subject Order of September 28, 1994, is neither a final order which can be reviewed by the Appeals Board nor does this appeal raise one of the issues considered jurisdictional under K.S.A. 44-534a. Consequently, the Appeals Board does not have jurisdiction to review the issue raised by this appeal from the Preliminary Hearing Order of the Administrative Law Judge.

**WHEREFORE**, it is the finding, decision, and order of the Appeals Board that this appeal should be, and the same is hereby, dismissed. The Order entered by Administrative Law Judge Thomas F. Richardson on September 28, 1994, remains in full force and effect.

**IT IS SO ORDERED.**

Dated this \_\_\_\_ day of April, 1995.

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BOARD MEMBER

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BOARD MEMBER

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BOARD MEMBER

c: C. Albert Herdoiza, Kansas City, KS  
David J. Rebein, Dodge City, KS  
Thomas F. Richardson, Administrative Law Judge  
George Gomez, Director